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Attorneys for Defendants PERFORMANCE FOOD GROUP, INC. and
VISTAR TRANSPORTATION, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JORGE PEREZ, on behalf of himself, all
others similarly situated, and the general
public,

Plaintiff,

vs.

PERFORMANCE FOOD GROUP, INC., a
Colorado corporation; VISTAR
TRANSPORTATION, LLC, a Delaware
limited liability company; ROMA GOURMET
FOOD ENTERPRISES OF CALIFORNIA,
INC., a California corporation, and DOES 1-
50, inclusive,

Defendants.

CASE NO. 3:15-cv-02390-HSG

**JOINT STIPULATION TO EXTEND
TIME TO RESPOND TO SECOND
AMENDED COMPLAINT BY 14 DAYS**

Filed Under Separate Cover

**DECLARATION OF MATTHEW C.
KANE**

[Northern District Local Rule 6-2]

SAC Filed: 04/13/16
Current Response Date: 04/27/16
New Response Date: 05/11/16

RECITALS

WHEREAS, on April 13, 2016, Plaintiff Jorge Perez (“Plaintiff”) filed a Second Amended Complaint (“SAC”) in this action [Dkt. #29]; and

WHEREAS, Defendants Performance Food Group, Inc. and Vistar Transportation, LLC (collectively, Defendants”) are presently the only defendants that have been served with process in this action; and

WHEREAS, pursuant to Fed. R. Civ. P. 15(a)(3), Defendants’ deadline to respond to Plaintiff’s SAC is April 27, 2016; and

WHEREAS, Defendants’ lead counsel was unexpectedly hospitalized for a medical emergency on April 21, 2016 from which he is still recovering at home and has been unable to review or evaluate Plaintiff’s SAC or prepare or review any responsive pleading or motion thereto; and

WHEREAS, the parties previously stipulated pursuant to Local Rule 6-1 to a 30-day extension of time for Defendants to serve and file any motions or other pleadings responsive to Plaintiff’s initial complaint [Dkt. #5]; and

WHEREAS, based on the foregoing, the parties agree and are stipulating herein pursuant to Local Rule 6-2, subject to Court approval, to a 14-day extension of time for Defendants to serve and file any motions or other pleadings responsive to Plaintiff’s SAC.

STIPULATION

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendants through their respective undersigned counsel that:

1. Defendants' time within which to answer or otherwise serve and file any motions or other pleadings responsive to Plaintiff's SAC in this action shall be and hereby is extended by 14 days to and including May 11, 2016; and
2. By entering into this Stipulation, Defendants do not waive and expressly reserve all defenses and challenges to Plaintiff's action.

DATED: April 26, 2016

SETAREH LAW GROUP

By: /s/ Shaun Setareh (w/ permission)
Shaun Setareh, Esq.
Thomas Segal, Esq.

Attorneys for Plaintiff
JORGE PEREZ

DATED: April 26, 2016

McGUIREWOODS LLP


By: /s/ Matthew C. Kane
Matthew C. Kane, Esq.
Sabrina A. Beldner, Esq.
Sylvia J. Kim, Esq.

Attorneys for Defendants
PERFORMANCE FOOD GROUP, INC. and
VISTAR TRANSPORTATION, LLC.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATE: 4/26/2016


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE